42-P

G. R. S. IX-5]

Previous references.

1915-16

(S.R)

Later references.

File No. 175-14

Serial Nos. 1 & 2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 & 2

Part B for December 1916

SUBJECT.

Direct Correspondence between the Dist Excise Officers and the Excise Commr.-

---

S.R. 2. No. M 3338-S6 dated 18-12-1916.

Sanctions certain modifications re correspondence between the Dist Excise Officers and the Excise Commr. in Excise matters.

W D 88—GPB—50,000—24-7-18

7-2/18

J. R. S. 11] 1915-6

GENERAL ~~AND~~ REVENUE SECRETARIAT.

(S.R.)

NOTES.

File No. 175-14

FILE HEADING.

Direct correspondence between the Dt Excise Offrs and the Excise Comrs.

From

The Excise Commissioner in Mysore

DO No. 9209 Dated 28/5/1915 Received 3/6/1915

Diary No. 5038	Enclos. one Spare Copies. —	Serial No. 1 —

BRIEF ABSTRACT OF LETTER.

Forwards the correspondence between him and the Deputy Commissioners of Districts in the matter of direct correspondence between the Dt Excise Officer and the Excise Comrs in routine matters, important papers being submitted through the Dy Commissioners.

NOTES AND ORDERS.

1. The reference to Govt is made because some of the Dy Comrs expressed themselves in favour of a reference being made with regard to the direct correspondence between the Dt Excise Offrs and the Excise Comrs in matters of

NOTES—First Sheet.

G. R. S. 12]

General and Revenue Secretariat. | GR File No. 175 of 1914.

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	mere routine, important subjects being brought to the knowledge of the Dy Commissioners.
	2. From Dy Comrs viz, of Mysore, Kolar & Chitaldrug are in favour of the change, while the rest consider that the present arrangements may continue being left to make the differentiation between routine and important matter.
Shimoga & Bangalore?)	
	3. The standing order on the subject is contained in para III of notfn no: 1128/EX 7-1901 of 7/1/1902, which runs as follows:- "The Excise divisional officers shall submit their weekly diaries and reports on all departmental matters direct to the Excise Comrs." This is based on the G.O. of 20th February 1901, which formally announced the practice in force prior to that period.
W (duplicate file)	
But in practice the diaries are sent through the Dy Comrs (in duplicate file)	
	4. So far as the Regn is concerned, there is nothing more to be done as the Excise Comrs is already invested with powers under the Regn. The notification of 1902 will have to be
W.	

NOTE—Contn. sheet.

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amended in case there should be a change in the details noted therein.

5. The Excise Commr seems to be of opinion that no change is necessary and advises for following reasons:-

1. It would be difficult to say where a routine matter ends and important subjects are

2. The wording of the notfn is sufficiently wide and no restricted interpretation may be put on it.

3. The Dy Commr being primarily responsible for the Excise administration of a Dt, all important subjects are to be brought to his knowledge. (para 8 of GO of 1907)

4. In this respect the Dy Comrs may be left to use their discretion.

6. The Minutes of the Madras Excise Committee and the resolution of the Govt of India of 1907 thereon are also noted as being supporting his view,

W.

R

Q (para 4)

Both these will form part of this file when it arrives in the Secretariat. MF

NOTE—Contn. sheet.

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(4

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that the Dl Forest Officers should be the subordinate of the Collector to particularly relieve him in matters of detail.

7. The practice in the Police and Forest Departments are quoted as instances for recognising direct correspondence in certain matters. In this connection it is subd that sec.n 15 of the Police Regn mentions in detail subjects on which Dl Officers may correspondence direct with the Head of the Dept.

8. But in the Forest Department no such details are given. The terms of the Forest Code and this as to be found in Sections 2, 182 & 189, as well as the instructions issued in that Department, are generally worded and details as given in the Police Regn are not to be found in the Forest Code or Manual. An extract from the new Forest Manual is put up for reference and for orders.

9. The Govt has made clear

This is correct
2/12/16

G.O. no. 448-53-532-29 dt 11/1/1902

This is matter I now
2/12/16

NOTE—Contn. sheet.

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(5

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the existing rule that the circumstances under which Weekly diaries and reports on departmental matters may be submitted by the D.C. of direct, was in the need of. His opinion, supported by the opinion of the Dr Comr Kadur, Hassan & Tumkur that the Dr Comr is the responsible head for the Excise Admn of the Dt, that all Communications shd pass through him or in his name and that he may be left to ~~the~~ delegate to the District Excise Officer ~~any~~ power to send ordinary Communications in his name, ~~was~~ seems to be acceptable. If approved a draft D.O. reply ~~on the~~ accepting the Comr's opinion will be put up.

Revised ~~The~~ The practice in the Forest Dept appears to support the Comr's view. 1.7.16.

11. This may be done.

V/s Member
Dewan

WK 4.7.916

12. There is very little merit in the complaint. The complainant may be reminded of the undesirability of proceeding on pieces of such complaints which can be dealt with by him in the ordinary course.

28.8.16.

WK 7

With 8 Pkts
142
7.7.16

NOTE—Contn. sheet.

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Direct correspondence between District Excise officers and the Excise Commissioner.

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13 This subject also came up incidentally for discussion at the Deputy Commissioners' meeting held recently. It seems necessary to systematise the procedure with respect to District Excise officers and other officrs of similar status. The Second Member will doubtless pursue the matter till final orders issue.

21.10.16.

14 Submitted to 2nd member for further orders.

2nd Member 24/10/16 Revenue Secretary

3214/26.10.16

15 Forwarded the Spl. Asst. Secretary's note in the 2nd Deptt.

1. Excise & Taxn. Deptt. is directly concerned. Both Deptts. are concerned. These proposals should come in a complete form.

16 Which Deptt. should proceed therewith. The Commr. -

17 Concur. on matter should be accepted as in Govt. of India code should be allowed direct. Copy such reports being sent to Govt. Commr. once a month for his information.

D113/830.10.16

Revenue Secretary (Spl. Duty)

27.10

Secretary to Govt. 28/10/16

NOTE—Contn. sheet.

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Secretariat

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	18. Referred unofficially to the Excise Commissioner in Mysore for favour of opinion at a very early date on the appended draft G.O. which disposes of the matter so far as District Excise Officers are concerned. The draft G.O. is self-explanatory.
X. Flag A	
	2. If any additions or alterations are considered necessary, definite suggestions for the amendment of the draft G.O. may be kindly made.
	3. The file relating to the powers of patronage of Excise Commissioner, Deputy Commissioners and District Excise Officers is linked with this.
U.O. Rqr. No. 20-8-28 11/16	
	28/11/16 M Seshagiri
	16
Recd 29.11	
D. No. 142.	21 Subject to the observations made below in respect of two points the proposed G.O. can with advantage issue now. The observations are: (i) in view of the provision made and the terms of the last sentence in para (b), the necessity for retaining para (f) is not clear: in fact it may be deleted; & (ii) in consequence of the discretion permitted under the terms of para (d), it is just possible that there may be great diversity in practice, as between the Districts, a contingency which cannot be received with
U. O. Rqr. No. 28-D/1 12/16	

NOTE—Contn. sheet.

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Complete complacency. A certain amount of uniformity in the procedure is desirable - if not necessary. As such it would be better if some such classification of makers into "senior" & "important" as that indicated in the communication from the Dy. Comm. of the Chittaldroog district, were introduced into all the districts at least as an experimental measure, and its results watched. Otherwise it is just possible that there may be some confusion or complication necessitating a second reference to Govt in the matter, a situation which is best guarded against however.

22 I greatly appreciate the courtesy extended in calling for an expression of my opinion in this case.

Bangalore 30-11-16 P. Rajagopalachar Esq

To

23. The Hon'ble Mr. Wilkinson with compliments 1.12.16

24 A draft G.O. revised in the light of the Excise Comm's suggestions is put up as Flagged B.

25 As regards the Forest officers the G.O. + flagged be regulated

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | S. 2 File No. 174 of 1914.

Serial No.

the procedure. A Confidential note on the two files is put up in a sealed cover

Sd
2/12/16

2nd Member 26 Draft approved

27 Two Depts. will be examined 3.12
loose if any other wire necessary Sd
3.12

28. The Hyd. case papers should not more than a year to note sheet be retained & submitted - Sd
3-12

29 B. II for necessary further action

Sd
4/12/16

30 May the draft order approved by the 2nd Member cover?

Rev. Secy. 31 The matter is important & 4/12/16
involves modification of existing rule -
Submitted for final approval & signature

Sd
5-12-1916

Sd
11-12-16

(32. Secy. seen by the first Member also has no objection

11-12-16 Sd

11. This will be obtained & Subd. Separately

Subd Exclusive Subd. separately on 1.47 dt 4.12.16

U.O.N. 25.

3267/16
5.12.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(10

G. R. S. 12]

General and Revenue Secretariat. | SR File No. 174 of 1914.

Serial No.	
	33 Submitted for Mr. Meher's approval 1090/13-12 L Knyvett 12-12-16 Approved 14/12 Meer Jessel 14/12/16 Subd. Mayn't this be treated as a standing order & printed? An entry has been on the margin of the draft: B. 14/12 for Secy. 16/12/16
2	To The Excise Commissioner Other Heads of Departments Deputy Commissioners of Districts No. 3338-86 & 18-12-16. Delegates certain powers in connection with the disposal of routine matters to the Dist. Excise officers in the matter independently with the understanding that the D.C. will be held primarily responsible for the Excise administration of the District.

NOTE—Contn. sheet.

To A.S. II for such kind working up the case & put up. 31/5.

5038

D. O. 9239

OFFICE OF THE EXCISE COMMISSIONER
IN MYSORE,

Bangalore, dated 28. 5. 1915.

SR
175-14

My dear Narasimha Rao.

I send herewith some papers containing some recent correspondence between the Deputy Commissioners and myself in the matter of direct communications passing between their District Excise officers and the Excise Commissioner, and their will I think speak for themselves. Only a few observations on the matter are, it seems to me, necessary and I shall proceed to make them.

As will be seen the matter was put in motion by the issue of my Confidential Circular No 334-41 of 13/18. 7. 14. The issue of

This

This circular was necessitated by a case which came up from Shimoga District, and if required I shall be glad to send up the connected papers for perusal and they may be returned to me when done with. Next a reference in the matter was made to me by the Deputy Commissioner, Bangalore District, and then it was mine. I thought that the sense of the other Deputy Commissioners on the point was ascertained. With this in view I addressed them my Circular No. letter No 157 dt 8.4.15.

From the replies received in response to my circular letter, it is clear that while the Deputy Commissioners of Bangalore Kolar, Mysore, Shimoga & Chitaldrug are in favour of

of a change in the procedure & practice. The Deputy Commissioners of Jamkhandi, Hassan and Karwar are quite opposed to any sort of change. The former lot of Deputy Commissioners desire a differentiation but make, however, between papers which are important & "unimportant or routine". But one of them, i.e. the Deputy Commissioner of Chitaldroog, has gone a step further and furnished a list giving the results of an attempt at such a differentiation. The other Deputy Commissioners have not attempted to move in this direction. This, I think, is indicative of the circumstance, that they have felt some doubt, difficulty or delicacy in making out such a list. It is indeed so, for, it is not easy to say where the "routine" ends and the "important" begins. There must be some overlapping and this is just where the rub lies.

In connection with this question I have gone through the file of papers available

available in the records of my office and dealing with this matter and the impression left upon my mind is, that it was never contemplated that there should be any direct official correspondence between the District Excise officers - or whatever their designation for the time being - and the Excise Commissioner. Post in Para III of first notification No 11288 Ex. T.C. 1901 dated 7.1.1901 it is stated that "weekly diaries and reports on all departmental matters" may be submitted to the Excise Commissioner by the Excise Divisional officer direct. Here it is necessary to observe that this was at a time when there was no separate District Excise officer for every district. A perusal of Para III of the notification above quoted will make this clear and what was then ordered was what was required to meet the requirements of the time & that is all. Further the wording is clear in its application and no restricted interpretation needs to be made of it.

In

D. O.

OFFICE OF THE EXCISE COMMISSIONER
IN MYSORE,

Bangalore, dated 28. 5. 1915.

In the interests of discipline and good work it seems to me inadvisable to countenance direct official communications between the District Excise officers and the Excise Commissioner. Whereby there can never be any possible objection to a free interchange of ideas between them by means of demi-official letters or personal conversations. As far as I have been able to make it out. This is the sense of the recommendations made by the Indian Excise Committee of 1905. and also the view expressed by the Govt of India in their despatch of the Secretary of State thereon and their resolution of 11-7-1907. The same

P.T.O.

heir has been held by an authorised Sub. para 3 of Para VIII of G. O. No 11,243-54 S 12:45-06-1 dt. 15. 6. 1907. For here the an official recognition of the differentiation of references into "routine" & "important" would. it seems to me, amount to a violation of this view altogether. But there can be no objection to the Deputy Commissioners making this differentiation themselves, so far as their District Executive officers are concerned. Though no official cognisance can be taken of this.

Since some of the Deputy Commissioners have expressed themselves as in favour of a change - a change which, in my opinion, should

go

unrecognised by Govt. or the head of the Depart-
ment. I submit the matter for an authoritative
ruling of Government on the point. I may add,
that while the matter is still at this stage,
many communications from Shimoga District have
been coming to me for some time past from
the District Excise officer dated. I have not however
taken any official notice of this so far. May
I request being favoured with a ruling from the Government
in the matter to begin with. None of the other
Districts have adopted this practice, however,
so far.

The Enclosures sent may kindly be returned
to me when no longer required.

Yours Sincerely
P. Raghavendra Rao.

No. 159

Excise Commissioner's Office,
Dated, Bangalore 8th April 1916.

It has been suggested to me - by Deputy Commissioners needless to add - that in all matters of routine, at least District Excise Officers might be permitted to deal direct with the Excise Commissioner in the same manner as District Superintendents of Police do with the Inspector General of Police. As regards the Police Department, the procedure is one which has been specifically laid down in the Police Regulation, but in the Excise Regulation etc., no such provision has been made as regards the Excise Department. Further in a recent Government Order, it has been explicitly stated that Deputy Commissioners are primarily responsible for the Excise Administration in their Districts and that District Excise Officers are only their Assistants in the Excise Department in spite of their designation. This means that there can be no direct or formal correspondence as such between District Excise Officers and the Excise Commissioner. Since the suggestion has been made, I do not see any reason why a reference should not be made to Government by the Excise Commissioner for a ruling in the matter for future guidance. Personally, I do not think it will make any difference as far as the Excise Commissioner is concerned. If you would like the Government addressed on the point, would you kindly write and confirm it to me at a very early date ?

Sd. P. Raghavendra Rao

Deputy Commissioner,

District.

Office of the Deputy Commissioner

Bangalore District.

Dated Bangalore, 10th April 1915

Dear Mr. Ragavendra Rao,

In reply to your D.O. No. 159-66 of the 8th instant re direct correspondence between the Excise Commissioner and the District Excise Officer in matters of routine, I beg to invite your kind attention to my D.O. No. 514 dated 25th February 1915 wherein I have already expressed my views on the subject.

Yours Sincerely,

K. Vaudey.

To

P. Ragavendra Rao, Esq., B.A., B.L.,

Excise Commissioner in Mysore,

Bangalore.

No. 151

24.2.15

(1)

Dear Chandy

With reference to the official correspondence ending with my letter no dated, I shall be obliged if you will let me know whether you desire or not the matter being submitted to the Government for orders. As far as I am concerned, it makes no difference as to what the procedure is, so long as it is one which has Government sanction and is workable as well. If you wish it, I shall gladly refer the matter to Government for a ruling. In any case, I shall thank you to let me have a very early reply to this

Copy

sd/ P. Raghavendra

Confl 5/14 25.2.15

D.O. No. 2 rec'd complaints 27.2.15 Rec'd

Dear Mr. Raghavendra Rao,

Reminds me at Hassan I also like to book camping & Co. about this to the Dist. Collr. informally. Kindly let me know.

Rec'd the D/Gnr's D.O. No. 151 D. 24.2.15 re Direct Correspondence between the Excise Comr. & the District Excise Officer in all routine matters.

I beg to say, that I & my Circle Inspectors have always been following the practice

is desirable, (for the purpose of
ensuring a uniform Dy
Gross) a Memo may
suitably be made to
Govt. Otherwise,
no reference need
I think, be made.

Yrs sincy
K Chaudy

holders of departmental work in the Districts.

Recd
Camp Hassan. 4.3.15

(2) I had a talk about him with Mr K. Krishna Iyer today & he was strongly in favour of the existing practice being continued. He was of opinion that any change in it was likely to be more harmful than beneficial from the point of view almost.

Recd
Camp Tanikere.
2.6.15.

Put up at 8 the next 2.6.15.

F 7466/13.4.15.

Kolar,

11th April 1915.

Sir,

I am in receipt of your D.O. No.159-66 dated 8th instant, asking for my views on the suggestion that in all matters of routine District Excise Officers might be permitted to deal direct with the Excise Commissioner, in the same manner as District Superintendents of Police do with the Inspector-General of Police. I am in favour of the suggestion, as similar direct correspondence is already in vogue in the Police and Forest Departments and is besides convenient in practice.

I have the honour to be,

Sir,

Your most obedient servant,

D. O. no: 254

6

Office of the Deputy Commissioner,
Tumkur District,
Dated, Tumkur, 14th April 1915.

Dear Mr Raghavendra Rao,

In reply to your D.O. No. 159-66 dated 8th instant in re the suggestion about the District Excise Officers corresponding direct with the Excise Commissioner in all matters of routine, I write to say that I do not see any necessity for the proposed departure from the practice now in force. My opinion is that direct correspondence between a Deputy Commissioner's Assistants in any Department and the Head of a Department will result in the former losing that sense of subordination to the Deputy Commissioner which is essential for the smooth and proper working of the Department.

If it is said that under the present arrangements the Deputy Commissioner's time is likely to be taken up with a mass of routine, my answer is that the remedy is quite simple, as it is always open to a Deputy Commissioner to instruct his District Excise Officer to attend to all

7

D.O.No.244

OFFICE OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT.

Recd 15.6.15 Recd

DATED, MYSORE 13th April 1915. 19

Put up with the above letter have been recd on 15.4.915

Dear Sir,

With reference to your D.O. No.159-66 dated the 8th instant requesting to furnish my opinion regarding the suggestion that District Excise Officers may be permitted to deal direct with the Excise Commissioner in all matter of routine, I write to say - that I approve of this suggestion.

Yours Sincerely,

To

P. Raghavendra Rao, Esquire., B.A., B.L.,
Excise Commissioner in Mysore,
Bangalore.

Rest of the D.O. 7677 22/4/15.

Reply

Is information complete now? If not, who are the C's from whom returns are not yet due?

Camp Entravaasantha
20th April 1915.

Dear Mr. Raghavendra Rao,

I write to acknowledge the receipt of your D.O. letter No. 159-66 dated 8th instant and in reply to state as follows:-

The system prevailing at present in the matter of correspondence between the Excise Commissioner, the Deputy Commissioner and the District Excise officer in

Excise

Excise matters seems to me to be quite suitable, and, so far as I can judge, no inconvenience should be experienced by a continuance of the system. In these circumstances, I don't see the necessity of Government being addressed, on the subject, for any change.

Yours Sincerely

J Ramsay Mac

No 2678. X 7414/10-4-15

9

Deputy Commissioner,
Kadur District.

Chikmagalur,
9th April 1915.

Dear Raghavendra Rao,

With reference to your D. O. No. 159-66 - dated 8th instant regarding the direct correspondence between the District Excise Officers and the Excise Commissioner, I state in reply that, in my opinion, the present rules require no alteration and there appears no necessity to address the Government in the matter of any change.

Yours sincerely
W Kirkwood

To,

P. Raghavendra Rao, Esq., B.A., B.L.,
Excise Commissioner in Mysore.

D.O. 416.

Shimoga,

10th April 1915.

Dear Mr. Raghavendra Rao,

Your D.O: No. 159-66 dated 8th April 1915 on the subject of direct correspondence between the Excise Commissioner and the District Excise Officer on matters of routine.

You will probably recollect my writing to you about this same subject some months ago. I do not see any reason why the District Excise Officer should not deal direct with the Excise Commissioner in purely technical and routine matters in the same manner as Superintendents of Police deal with the Inspector General of Police. The Deputy Commissioner's responsibility for the Excise Administration of the district is no greater than his responsibility for Police Administration, and the former need not prevent direct communication between the Excise Commissioner and the District Excise Officer regarding purely technical matters such as kit, instruments, equipment, accounts, wastage etc. If only important communications are addressed to the Deputy Commissioner, these are likely to be personally attended to by him ; otherwise everything is likely to be referred to the District Excise Officer as a

matter of routine.

I do not know whether any reference to Government is necessary on the subject as the existing orders clearly lay down that correspondence relating to technical and routine matters may be direct between the Excise Commissioner and the District Excise Officer. If however you think there is any doubt about the matter certainly Government may be addressed on the subject.

Yours sincerely,

Mr

P. Raghavendra Rao, Esquire., B.A.B.L.,
Excise Commissioner in Mysore,
B a n g a l o r e.

C.N.R.

D.O.No. 222
1-5-15

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 30th April 1915.

Dear Sir

Your D. O. letter No. 159-66 dated the 8th instant.

2. I agree that in all routine matters the District Excise Officer may be permitted to correspond direct with the Excise Commissioner, as such a step may be conducive to the proper apportionment of responsibilities and to despatch of work.

3. In the above view it becomes necessary to clearly define the subjects which may be considered "routine" and those which are other than routine i.e. "important" in which the correspondence should be between the Deputy Commissioner and the Excise Commissioner, the District Excise Officer taking the place of assistant to the Deputy Commissioner.

4. Enclosed are two such lists A and B drawn up by Mr. S. Venkatrangam District Excise Officer. The lists may not be exhaustive and the classification not rigid. They only indicate how the distribution of work may be made, if

List (A) 11 a

List of subjects in which direct cor
between the District Excise Officer an
Commissioner may be permitted.

— a —

1. Submission of the Schedule of Establishm
2. Submission of the consolidated sale list.
3. Granting leave in Excise Reserves for staff
4. Indents for forms and Stationery.
5. The sorting of records and their preserva
6. Submitting sale Schedules and assignm
lists.
7. Supply of articles, instruments, books an
furniture required for the use of the Raiy
Sub Raye and Taluk offices and the
Excise Office.
8. Repairs to furniture belonging to the
Excise office and offices subordinate
9. Grant of privilege leave to Inspectors.
10. Dead rent lists.
11. Submission of T. A. bills of the District
Office establishment and of subordinate
offices and their establishment.
12. Submission of contingent bills and gran
of additional allotments etc.
13. Submission of Monthly, quarterly, Half yearly and
Annual Accounts of all kinds and
discrepancies in them.
14. Increment and arrears of pay due to
clerks of the subordinate offices and the
subordinate executive officers.
15. Rise and fall in consumption. (Routine)
16. Submission of explanations of Inspectors etc
for omissions noticed by the District Excise

ubmission of Crime Records to the Excise
ommissioner when called for.

Statements of promotions, transfers, fresh men
ntertained, and of dismissals in the Excise
Department.

Submission of Crime records which fall under
S S. 55, 57, and 58, when they are to be
departmentally dealt with or when they are
to be struck off instead of being prosecuted.

20. Report on misconduct and other records when
an appeal is preferred to Excise Commissioner,
from the District Excise Officer's order.

21. Additional assignation of lines to shops.

22. Licensing of Methylated Spirit Shops and
possession of Cocaine and Novocaine,
and opium preperations.

23. ~~Entertainment of the Detective Staff and~~
~~its renewal etc.~~

List (B.) (113)

List of Subjects in which correspondence shall pass between the Deputy Commissioner and Excise Commissioner:-

— u —

1. Submitting remission records for sanction.
2. Opening of new shops of different kinds.
3. Administration report and the statistics connected therewith.
4. Annual Sale Report.
5. Confidential report on work done by Excise Inspectors.
6. Report of work done by the officials drawing of Rs 70 and above.
7. Furnishing opinions called for by the Excise Commissioner.
8. Report on the condition of tents.
9. Inamdar's claim to Excise Revenue.
10. T. A. bill of the District Excise officer.
11. Submission of Inspection Memos with the Deputy Commissioner's opinion.
12. Improvement of the Excise Department.
13. Annual Sales of Excise privileges.
14. Leasing out of shops for more than one year.
15. Itineration statement and the review (Monthly).
16. Reward Rolls for sanctions (Above Rs 25/-)
17. Report on mis-conduct and other records when an appeal is preferred to Excise Commissioner against the Deputy Commissioner's order.
18. Correspondence re the promotion, degradation suspension and punishments to Inspectors.
19. Transfer of Head Quarters of Range Inspectors and and Assistant Inspectors and the reconstitution of Range and Sub-Range Offices.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G.O. No. Fl. 3338-86—S. R. 147-14-2, dated 18th Dec. 1916.

Correspondence between District Excise Officers, Deputy Commissioners and Excise Commissioner.

Sanctions certain modifications *re* —— in excise matters.

W D 1703—GPB—18-1-17—255

Correspondence between District Excise Officers, Deputy Commissioners and Excise Commissioner.

No. Fl. 3338-86—S. R. 147-14-2, dated 18th December 1916.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

Read—

(1) D. O. No. 9239, dated 28th May 1915, from the Excise Commissioner in Mysore, soliciting the orders of Government on the subject of direct correspondence between him and the District Excise Officers.

(2) Clause III of Notification No. 11288—Ex. F. 3-1901, dated 7th January 1902. (Page 48, Vol. I., Excise Manual.)

(3) Government Proceedings, dated 14th July 1904, No. 258-9—S. R. 1-97, declining to invest Revenue Assistant Commissioners with the powers of Excise Assistant Commissioners.

(4) Government Proceedings, dated 15th June 1907, No. Fl. 9243-54—S. R. 145-06-1, passing orders on the possibilities of retrenchment and improvement of revenue in the Excise Department.

(5) G. R. S. No. Fl. 5494, dated 13th March 1906, stating that the Government is the appellate authority from the orders of Deputy Commissioners under the Toddy Rules.

Order No. Fl. 3338-86—S. R. 147-14-2, dated 18th December 1916.

The position and status of the District Excise Officer in relation to the District Deputy Commissioner are described in para 8 of the Government Proceedings dated 15th June 1907, read above; but no attempt was then made to amend clause III of Notification dated 7th January 1902, which empowers the District Excise Officer to address the Excise Commissioner direct and is inconsistent with the position of the District Excise Officer as the Deputy Commissioner's Assistant in the Excise Department.

2. The question having now been formally raised by the Excise Commissioner in the D. O. read above, the Government have carefully considered the subject both in itself and with reference to the analogous procedure in the case of District Superintendents of Police, District Forest Officers and District Treasury Officers. The procedure in the case of District Superintendents of Police is regulated by Section 15 of the Police Regulation, while as regards District Forest Officers and District Treasury Officers the procedure is laid down by Article 2 of the Mysore Forest Code and Government Proceedings, dated 11th January 1902, No. 448-55—2522-29, and by Articles 637-640 (Chapter 18) of the District Treasury Manual, respectively.

3. The Government resolve to amend clause III of Notification dated 7th January 1902, as follows:—

(*a*) The Deputy Commissioner will be held primarily responsible for the Excise administration of the District and the District Excise Officer will be his Assistant in the Excise Department.

(*b*) In every District, Excise business of all kinds will be centralised in and conducted from the District Excise Office under the orders of the Deputy Commissioner. All communications to the Excise Commissioner must purport to emanate from the Deputy Commissioner, Excise Department.

(*c*) All Excise papers with the exception of very valuable records such as contract, deeds, etc., which should be specially safeguarded in the District Office Record Room or otherwise, will be filed and preserved in the District Excise Office.

No. FE. 3338-86—S. R.-147-14-2, DATED 18TH DECEMBER 1916.

(*d*) Deputy Commissioners will issue such general or special orders as they may consider requisite to ensure that their own orders are obtained on all important papers or certain classes of references before formal orders are issued and to delegate to the District Excise Officer certain powers for the disposal of routine papers and generally for the conduct of Excise business and correspondence. Two tentative lists of subjects, one showing the important papers in which the Deputy Commissioner's orders should be obtained and the other specifying the routine papers in which the District Excise Officer can act on his own responsibility are appended to this Government Order. These lists may be revised by the Deputy Commissioners in consultation with the Excise Commissioner, who will see that there is uniformity in this respect in all the districts. Weekly diaries of District Excise Officers will be submitted to the Excise Commissioner through the Deputy Commissioner.

(*e*) District Excise Officers will issue instructions in their own name direct to Taluk Officers in Excise matters of a routine nature.

B. RAMASWAMAIYA,
Offg. Secy. to Govt., Rev. Dept.

To—The Excise Commissioner in Mysore.
The other Heads of Departments.
The Deputy Commissioners of Districts.

Exd.—C. B.

No. Fl. 3338-86—S. R. 147-14-2, dated 18th December 1916.

A.

List of important cases in which the District Excise Officer should obtain the orders of the District Deputy Commissioner.

1. Submitting remission records for sanction.
2. Opening of new shops of different kinds.
3. Administration Report and the statistics connected therewith.
4. Annual Sale Report.
5. Confidential report on work done by Excise Inspectors.
6. Report of work done by officials drawing Rs. 70 and above.
7. Furnishing opinions called for by the Excise Commissioner.
8. Report on the condition of tents.
9. Inamdar's claim to Excise Revenue.
10. Travelling allowance bill of the District Excise Officer.
11. Submission of inspection Memos with the Deputy Commissioner's opinion.
12. Improvement in the Excise Department.
13. Annual sales of Excise privileges.
14. Leasing out of shops for more than one year.
15. Itineration statement and the review (Monthly).
16. Reward Rolls for sanctions (Above Rs. 25).
17. Report on misconduct and other records when an appeal is preferred to Excise Commissioner against the Deputy Commissioner's order.
18. Correspondence *re* the promotion, degradation, suspension and punishments of Inspectors.
19. Proposals *re* the transfer of Headquarters of Range Inspectors and Assistant Inspectors and the reconstitution of Range and Sub-Range Offices.

B.

List of routine cases in which the District Excise Officer can act on his own responsibility.

1. Submission of the schedule of establishment.
2. Submission of the consolidated sale list.
3. Granting trees in Excise Reserves for tapping.
4. Indents for forms and stationery.
5. The sorting of records and their preservation.
6. Submitting sale schedules and assignment lists.
7. Supply of articles, instruments, books and furniture required for the use of the Range, Sub-Range and Taluk Offices and the District Excise Office.
8. Repairs to furniture belonging to the District Excise Office and offices subordinate thereto.
9. Grant of privilege leave to Inspectors.
10. Lists of dead trees.
11. Submission of travelling allowance bills of the District Excise Office establishment and of subordinate officers and their establishment.
12. Submission of contingent bills and grant of additional allotments, etc.
13. Submission of monthly, quarterly, half-yearly and annual accounts of all kinds and the rectification of discrepancies in them.
14. Increment and arrears of pay due to clerks of the subordinate offices and the subordinate executive officers.
15. Rise and fall in consumption. (Routine.)
16. Submission of explanations of Inspectors for omissions noticed by the District Excise Officer.
17. Submission of Crime records to the Excise Commissioner when called for.
18. Statements of promotions, transfers, fresh men entertained and of dismissals in the Excise Department.
19. Submission of Crime records which fall under Sections 55, 57 and 58 when they are to be departmentally dealt with or when they are to be struck off instead of being prosecuted..
20. Report on misconduct and other records when an appeal is preferred to Excise Commissioner from the District Excise Officers's order.
21. Additional grant of trees to shops.
22. Licensing of Methylated spirit shops and possession of cocaine and novocaine and opium preparations.

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PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read the following papers:--

(1) D.O.No.9239 dated 28-5-1915 from the Excise Commissioner in Mysore ---- soliciting the orders of Government on the subject of direct correspondence between him and the District Excise Officers.

(2) Clause III of Notification No.11288/Ex.F.3-1901 dated 7-1-1902. (Page 48 Vol. I. Excise Manual).

(3) G.P. dated 14-7-1904 No.258-9/S.R.1-97 declining to invest Revenue Assistant Commissioners with the powers of Excise Assistant Commissioners.

(4) G.P. dated 15-6-1907 No.Fl.9243-54/S.R.145-06-1, passing orders on the possibilities of retrenchment and improvement of revenue in the Excise Department.

(5) G.R.S.No.Fl.5494 dated 13-3-06 stating that the Government is the appellate authority from the orders of Deputy Commissioners under the Toddy Rules.

ORDER THEREON.

The position and status of the District Excise Officer in relation to the District Deputy Commissioner are described

described in para 8 of the Government Proceedings dated 15-6-1907 read above; but no attempt was then made to amend Clause III of Notification dated 7-1-1902 which empowers the District Excise Officer to address the Excise Commissioner direct and is inconsistent with the position of the District Excise Officer as the Deputy Commissioner's Assistant in the Excise Department.

2. The question having now been formally raised by the Excise Commissioner in the D.O. read above, the Government have carefully considered the subject both in itself and with reference to the analogous procedure in the case of District Superintendents of Police, ---- District Forest Officers and District Treasury Officers. The procedure in the case of District Superintendents of Police is regulated by Section 15 of the Police Regulation while as regards District Forest Officers and District Treasury Officers the procedure is laid down by Art.2 of the Mysore Forest Code and G.P. dated 11-1-02 No.448-55/2522-29 and by Articles 637-640 (chapter 18) of the District Treasury Manual respectively.

3. The Government resolve to amend clause III of Notification dated 7-1-1902 as follows:--

(a) The Deputy Commissioner will be held primarily responsible for the Excise administration of the District and the

District

District Excise Officer will be his assistant in the Excise Department.

(b) In every District, Excise business of all kinds will be centralized in and conducted from the District Excise Office under the orders of the Deputy Commissioner. All communications to the Excise Commissioner must purport to emanate from the Deputy Commissioner, Excise Department.

(c) All Excise papers with the exception of very valuable records such as contract deeds &c., which should be ----- specially safe-guarded in the District Office Record Room or otherwise, will be filed and preserved in the District Excise Office.

(d) Deputy Commissioners will issue such general or special orders as they may consider requisite to ensure that their own orders are obtained on all important papers or certain classes of references before formal orders are ----- issued and to delegate to the District Excise Officer certain powers for the disposal of routine papers and generally for the conduct of Excise business and correspondence. Two tentative lists of subjects, one showing the important papers in which the Deputy Commissioner's orders should be obtained and the other specifying the routine papers in which the District Excise Officer can act on his own responsibility are appended to this G.O. These lists may be revised

by

by the Deputy Commissioners in consultation with the Excise Commissioner who will see that there is uniformity in this respect in all the Districts. Weekly diaries of District Excise Officers will be submitted to the Excise Commissioner through the Deputy Commissioner.

(e) District Excise Officers will issue instructions in their own name direct to Taluk Officers in Excise matters of a routine nature.

5/12

5/12

Secy. Rev. Dept.

2/12/16

To

The Excise Commissioner in Mysore
Other Heads of Departments.
The Deputy Commissioners of Districts.

A.

List of important cases in which the District Excise Officer should obtain the orders of the District Deputy Commissioner.

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1. Submitting remission records for sanction.
2. Opening of new shops of different kinds.
3. Administration report and the statistics connected therewith.
4. Annual Sale Report.
5. Confidential report on work done by Excise Inspectors.
6. Report of work done by ~~the~~ officials drawing Rs.70 and above.
7. Furnishing opinions called for by the Excise Commissioner.
8. Report on the condition of tents.
9. Inamdar's claim to Excise Revenue.
10. Travelling Allowance Bill of the District Excise Officer.
11. Submission of Inspection Memos. with the Deputy Commissioner's opinion.
12. Improvement in the Excise Department.
13. Annual Sales of Excise privileges.
14. Leasing out of shops for more than one year.
15. Itineration statement and the review (Monthly)
16. Reward Rolls for sanctions (Above Rs.25.)
17. Report on misconduct and other records when an appeal is preferred to Excise Commissioner against the Deputy Commissioner's order.
18. Correspondence re the promotion, degradation, suspension and punishments of Inspectors.
19. Transfer of Head-quarters of Range Inspectors and Assistant Inspectors and the reconstitution of Range and Sub Range Offices. Proposals re the
20. ~~Entertainment of the Detective Staff or its removal~~ &c

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B.

List of routine cases in which the District Excise Officer can act on his own responsibility.

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1. Submission of the Schedule of Establishment.
2. Submission of the consolidated sale list.
3. Granting trees in Excise Reserves for tapping.
4. Indents for forms and stationery.
5. The sorting of records and their preservation.
6. Submitting Sale Schedules and assignment lists.
7. Supply of articles, instruments, books and furniture required for the use of the Range, Sub-Range and Taluk Offices and the District Excise Office.
8. Repairs to furniture belonging to the District Excise Office and offices subordinate thereto.
9. Grant of privilege leave to Inspectors
10. Dead trees ~~lists~~ lists.
11. Submission of T.A. bills of the District Excise Office establishment and of subordinate officers and their establishment.
12. Submission of contingent bills and grant of additional allotments &c.
13. Submission of monthly, quarterly, half-yearly and Annual Accounts of all kinds and discrepancies in them.
14. Increment and arrears of pay due to clerks of the subordinate offices and the subordinate executive officers.
15. Rise and fall in consumption (Routine)
16. Submission of explanations of Inspectors for omissions noticed by the District Excise Officer.
17. Submission of Crime Records to the Excise Commissioner when called for.
18. Statements of promotions, transfers, fresh men entertained and of dismissals in the Excise Department.
19. Submission of Crime Records which fall under Sections 55, 57 and 58 when they are to be departmentally dealt with or when they are to be struck off instead of being prosecuted.
20. Report on misconduct and other records when an appeal is preferred to Excise Commissioner from the District Excise Officer's order.
21. Additional ~~assignation~~ grant of trees to shops.
22. Licensing of Methylated spirit shops and possession of Cocaine and Novocaine and opium preparations.

2/12/16